

Senate Amendment to
House File 517

H-1297

1 Amend House File 517, as amended, passed, and reprinted by
2 the House, as follows:

3 1. Page 1, line 13, by striking <subsection 1> and inserting
4 <subsection 2>

5 2. Page 1, after line 31 by inserting:

6 <Sec. _____. Section 724.2A, Code 2017, is amended to read as
7 follows:

8 **724.2A Peace officer defined and reserve peace officer —**
9 **defined.**

10 As used in [sections 724.4, 724.6,](#) and [724.11](#) regarding
11 ~~obtaining or renewing a permit for the carrying of weapons,~~
12 "peace officer" means a certified "peace officer" and includes a
13 reserve peace officer as defined in [section 80D.1A.](#)

14 Sec. _____. Section 724.4, subsection 4, paragraph b, Code
15 2017, is amended to read as follows:

16 *b.* A peace officer, when the officer's duties require the
17 person to carry such weapons, or as provided in section 724.6.>

18 3. By striking page 1, line 34, through page 2, line 5, and
19 inserting:

20 <NEW PARAGRAPH. *c.* A licensee under chapter 80A or an
21 employee of such a licensee, while the licensee or employee
22 is engaged in the performance of duties, and if the licensee
23 or employee possesses a valid professional or nonprofessional
24 permit to carry weapons issued pursuant to this chapter.>

25 4. Page 3, after line 9 by inserting:

26 <Sec. _____. Section 724.6, subsection 1, Code 2017, is
27 amended to read as follows:

28 1. *a.* A person may be issued a permit to carry weapons when
29 the person's employment in a private investigation business
30 or private security business licensed under [chapter 80A](#), or a
31 person's employment as a peace officer, correctional officer,
32 security guard, bank messenger or other person transporting
33 property of a value requiring security, or in police work,
34 reasonably justifies that person going armed.

35 *b.* The permit shall be on a form prescribed and published

1 by the commissioner of public safety, shall identify the
2 holder, and shall state the nature of the employment requiring
3 the holder to go armed. A permit so issued, other than to
4 a peace officer, shall authorize the person to whom it is
5 issued to go armed anywhere in the state, only while engaged
6 in the employment, and while going to and from the place of the
7 employment.

8 c. A permit issued to a certified peace officer shall
9 authorize that peace officer to go armed anywhere in the state
10 at all times, including on the grounds of a school.

11 d. Permits shall expire twelve months after the date
12 when issued except that permits issued to peace officers and
13 correctional officers are valid through the officer's period of
14 employment unless otherwise canceled. When the employment is
15 terminated, the holder of the permit shall surrender it to the
16 issuing officer for cancellation.>

17 5. Page 4, by striking lines 18 and 19 and inserting:

18 <f. Completion of a hunter education program approved by
19 the natural resource commission pursuant to section 483A.27,
20 if the program includes handgun safety training and completion
21 of the handgun safety training is included on the certificate
22 of completion.>

23 6. Page 7, after line 9 by inserting:

24 <Sec. ____ . NEW SECTION. 724.14 Nonprofessional permit —
25 **change of residence to another county.**

26 If a permit holder of a nonprofessional permit to carry
27 weapons changes residences from one county to another county
28 after the issuance of the permit, the department of public
29 safety shall by rule specify the procedure to transfer the
30 regulation of the holder's permit to another sheriff for the
31 purposes of issuing a renewal or duplicate permit, or complying
32 with section 724.13.>

33 7. Page 7, line 15, by striking <firearms> and inserting
34 <pistols or revolvers>

35 8. Page 11, after line 25 by inserting:

1 <Sec. _____. Section 724.21A, Code 2017, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 8. If an applicant or permit holder
4 appeals the decision by the sheriff or commissioner to deny
5 an application for or suspend or revoke a permit to carry
6 weapons or a permit to acquire pistols or revolvers, and it
7 is later determined on appeal the applicant or permit holder
8 is eligible to be issued or possess a permit to carry weapons
9 or a permit to acquire pistols or revolvers, the applicant
10 or permit holder shall be awarded court costs and reasonable
11 attorney fees. If the decision of the sheriff or commissioner
12 to deny an application for or suspend or revoke a permit to
13 carry weapons or a permit to acquire pistols or revolvers is
14 upheld on appeal, or the applicant or permit holder withdraws
15 or dismisses the appeal, the political subdivision of the state
16 representing the sheriff or the state department representing
17 the commissioner shall be awarded court costs and reasonable
18 attorney fees.>

19 9. Page 12, line 7, by striking <or spouse> and inserting
20 <spouse, or instructor>

21 10. Page 12, line 8, by striking <older and who> and
22 inserting <older, who>

23 11. Page 12, line 10, by striking <and who> and inserting
24 <who>

25 12. Page 12, line 11, after <person> and inserting <, and
26 who is not intoxicated as provided under the conditions set out
27 in section 321J.2, subsection 1, or under the influence of an
28 illegal drug>

29 13. Page 12, by striking lines 12 through 20 and inserting:
30 <Sec. _____. Section 724.22, Code 2017, is amended by adding
31 the following new subsections:

32 NEW SUBSECTION. 8. A parent, guardian, or spouse who is
33 twenty-one years of age or older, of a minor under the age of
34 fourteen years who allows that minor to possess a pistol or
35 revolver or the ammunition pursuant hereto, shall be strictly

1 liable to an injured party for all damages resulting from the
2 possession of the pistol or revolver or ammunition therefor by
3 that minor.

4 NEW SUBSECTION. 9. A parent, guardian, spouse, or
5 instructor, who knowingly provides direct supervision under
6 subsection 5, of a person while intoxicated as provided
7 under the conditions set out in section 321J.2, subsection
8 1, or under the influence of an illegal drug, commits child
9 endangerment in violation of section 726.6, subsection 1,
10 paragraph "i".

11 Sec. _____. Section 726.6, subsection 1, Code 2017, is amended
12 by adding the following new paragraph:

13 NEW PARAGRAPH. i. Knowingly provides direct supervision of
14 a person under section 724.22, subsection 5, while intoxicated
15 as provided under the conditions set out in section 321J.2,
16 subsection 1, or under the influence of an illegal drug.>

17 14. Page 12, by striking lines 32 and 33 and inserting
18 <information of holders of professional or nonprofessional
19 permits to carry weapons and permits to acquire pistols or
20 revolvers, including but not>

21 15. Page 13, by striking lines 4 and 5 and inserting
22 <revocation, or administration of professional or
23 nonprofessional permits to carry weapons and permits to acquire
24 pistols or revolvers, provided that>

25 16. Page 13, by striking lines 8 through 12 and inserting:
26 <c. This subsection shall not prohibit the release of
27 information to a criminal or juvenile justice agency as defined
28 in section 692.1 for the performance of any lawfully authorized
29 duty or for conducting a lawfully authorized background
30 investigation.>

31 17. Page 14, line 11, by striking <declarative> and
32 inserting <declaratory>

33 18. Page 14, by striking lines 12 through 14 and inserting
34 <injunctive relief for damages.>

35 19. Page 14, line 27, after <person> by inserting <, other

1 than a peace officer,>

2 20. Page 14, line 31, after <prohibit the> by inserting
3 <lawful>

4 21. Page 14, by striking lines 34 and 35 and inserting <and
5 parking garages by a person who displays to capitol security
6 personnel a valid permit to carry weapons upon request.>

7 22. Page 15, line 18, by striking <transfer,>

8 23. Page 16, by striking lines 18 through 29 and inserting:

9 1. "Reasonable force" ~~is means~~ that force and no more which
10 a reasonable person, in like circumstances, would judge to
11 be necessary to prevent an injury or loss and can include
12 deadly force if it is reasonable to believe that such force is
13 necessary to avoid injury or risk to one's life or safety or
14 the life or safety of another, or it is reasonable to believe
15 that such force is necessary to resist a like force or threat.
16 ~~Reasonable force, including deadly force, may be used even if~~
17 ~~an alternative course of action is available if the alternative~~
18 ~~entails a risk to life or safety, or the life or safety of a~~
19 ~~third party, or requires one to abandon or retreat from one's~~
20 ~~dwelling or place of business or employment.~~

21 24. Page 16, line 30, by striking <3.> and inserting <2.>

22 25. Page 16, line 34, by striking <4.> and inserting <3.>

23 26. Page 18, after line 14 by inserting:

24 <Sec. ____. NEW SECTION. **704.2B Use of deadly force —**
25 **duties — evidence.**

26 1. If a person uses deadly force, the person shall notify
27 or cause another to notify a law enforcement agency about the
28 person's use of deadly force within a reasonable time period
29 after the person's use of the deadly force, if the person or
30 another person is capable of providing such notification.

31 2. The person using deadly force shall not intentionally
32 destroy, alter, conceal, or disguise physical evidence relating
33 to the person's use of deadly force, and the person shall not
34 intentionally intimidate witnesses into refusing to cooperate
35 with any investigation relating to the use of such deadly force

1 or induce another person to alter testimony about the use of
2 such deadly force.>

3 27. Page 18, line 33, after <property> by inserting
4 <pursuant to section 704.4>

5 28. Page 22, after line 14 by inserting:

6 <DIVISION ____
7 INITIAL APPEARANCE — BAIL

8 Sec. ____ . Section 804.21, subsection 5, paragraph b,
9 subparagraph (1), Code 2017, is amended to read as follows:

10 (1) The person was arrested for a crime other than a
11 violation of section 708.6, section 724.26, subsection 1, or
12 a forcible felony, and>

13 29. Page 22, line 27 by striking <firearms> and inserting
14 <pistols or revolvers>

15 30. Page 22, line 29, by striking <firearms> and inserting
16 <pistols or revolvers>

17 31. By renumbering as necessary.